

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

RODERICK CLARK MILLER

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:07cv541LG-JMR

HARRISON COUNTY, MISSISSIPPI, by and through
its Board of Supervisors, HARRISON COUNTY
SHERIFF DEPARTMENT, SHERIFF GEORGE
PAYNE, officially and in his individual capacity,
DIRECTOR OF CORRECTIONS MAJOR DIANNE
GATSON-RILEY, officially and in her individual
capacity, BOOKING SUPERVISOR CAPTAIN RICK
GASTON, officially and in his individual capacity,
TRAINING DIRECTOR CAPTAIN PHIL TAYLOR,
officially and in his individual capacity, CENTRAL
CONTROL OFFICER PRESTON WILLS, officially
and in his individual capacity, BOOKING ROOM DEPUTY
JERRED MARK NECAISE, officially and in his individual
capacity, BOOKING ROOM DEPUTY CATHERINE
PAVOLINI, officially and in her individual capacity,
AMERICAN CORRECTIONAL ASSOCIATION, and
OTHER UNKNOWN JOHN and JANE DOES A-Z, also in
their official and individual capacities

DEFENDANTS

STATE OF MISSISSIPPI

COUNTY OF HARRISON

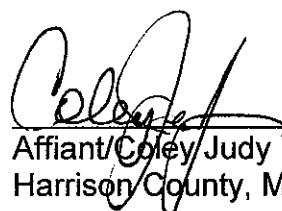
AFFIDAVIT OF DEPUTY COLEY JUDY
HARRISON COUNTY SHERIFF'S OFFICE

PERSONALLY CAME AND APPEARED BEFORE ME the undersigned authority
in and for the County and State aforesaid, the within named, COLEY JUDY, who, after first
being duly sworn by me on his oath, did depose and state the following:

1. My name is COLEY JUDY, and I am over the age of twenty-one (21) years. I am a Deputy with the Harrison County Sheriff's Office and have held this position since January of 1999. I have personal knowledge of the matters and facts contained in this Affidavit and I am competent to testify to the matters stated herein.
2. On or about January 17, 2004, I was performing my duties as a patrol officer in the Harrison County Sheriff's Department Enforcement Division when I responded to a domestic violence dispatch call at 18049 Old Highway 49 in Saucier, Mississippi.
3. Upon arrival, I interviewed complaining witness, Veronica Hahn, who told me that her live-in boyfriend, Roderick Miller, threw a glass of water in the face of her baby because the baby dropped Miller's telephone in the bathtub by mistake. Ms. Hahn said that she then grabbed Miller to keep him from assaulting her son again and that Miller threw her to the bathroom floor and beat her in the face and scratched her body.
4. I noticed that Ms. Hahn had swelling to her head and a busted lip, as well as scratches to her body. Ms. Hahn told me that Miller also had scratch marks on his face and his body. I then arrested Roderick Miller for domestic violence/simple assault and transported him to the Harrison County Adult Detention Center at approximately 1821 hours.
5. During the transport to the Harrison County Adult Detention Center, Miller was banging his head against the cage of the patrol car and screaming and yelling.

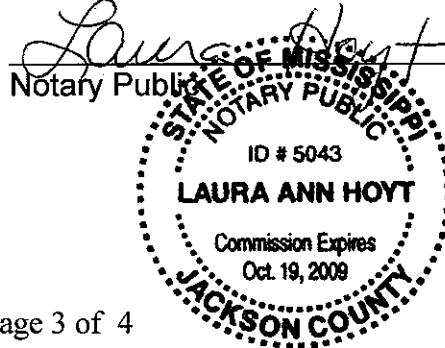
6. Upon arrival at the Harrison County Adult Detention Center booking area, Miller refused to give me the necessary information for booking, so I had him placed in a holding cell. While in a holding cell, Miller was screaming, acting belligerent and beating on the walls. While I was in the booking area, I observed Miller still acting belligerent while in the holding cell. I then left the Harrison County Adult Detention Center and did not observe any further incidents regarding Miller.
7. As a result of this incident, I prepared a written report detailing the event which took place on April 17, 2004, a copy of this report is attached hereto as **Exhibit "1"**. This document is one typically prepared in the course of my duties as a corrections officer at the Harrison County Adult Detention Center and was prepared near or at the time of the incident, and it fairly and accurately represents the incident which took place

I certify the above declaration is true and correct under penalty of perjury.



Affiant/Coley Judy
Harrison County, Mississippi

Sworn to and subscribed before me on this 7th day of July, 2008.



My Commission Expires:

10-19-09

